

REMARKS

As a preliminary matter, Applicants thank the Examiner for the indication that the pending claims are free of the prior art.

In the instant application claims 1-8 were pending. Claims 7 and 8 have been amended, and new claims 9-14 have been added. Support for the amendments to the claims and the new claims can be found throughout the specification and claims as originally filed. For example, support for the amendments to claim 8 can be found on page 7, lines 21-32 of the specification as originally filed. Support for new claim 9 can be found, for example, in original claim 7. Support for new claims 10-13 can be found, for example, on page 6, lines 16-29 of the specification as originally filed. Support for new claim 14 can be found, for example, in original claim 6. No new matter has been added.

Cancellation and/or amendment of the claims should in no way be construed as acquiescence to the rejections. The cancellation and/or amendment of the claims are being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The cancellation and/or amendment of the claims are not related to any issues of patentability.

Claim Rejections - 35 U.S.C. § 112

Claims 1-8 have been rejected under 35 U.S.C. § 112 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicants note that this rejection has been rendered moot with regard to cancelled claims 4-6.

Claim 1

Claim 1 has been rejected because the option of using only one grain of the non-metallic inorganic material and only one grain of the plastic particles allegedly cannot give rise to the specified density.

Applicants respectfully disagree and submit that a composite material having the specified density may indeed be formed by means of only a single grain of nonmetallic inorganic material and a single plastic particle. The desired specific density can be adjusted in a very simple manner for at least the following reasons.

The sizes (and corresponding weights) of the grain of non-metallic inorganic material and of the plastic particle can be freely chosen. Based on the known individual specific densities of the grain of non-metallic inorganic material and of the plastic particle, the ratio of sizes (or weights) of the two particles can be adjusted in an appropriate manner such that the average density of the composite material falls within the specified range.

Further, Applicants note that no difficulty arises with respect to the specific surface area and porosity of the single grain of non-metallic inorganic material. These properties characterize the material as such, independent of the amount thereof. For instance, if a particular non-metallic inorganic material is selected, which exhibits a specific surface area and porosity as specified in present Claim 1, these properties will be the same irrespective of the number of grains that are considered. The same is true for the specific density and specific surface area of the plastics particles. These properties are also characteristics of the material as such and therefore independent of the amount of material/number of particles used.

With regard to amending claim 1 to include the ratio of claim 3, Applicants respectfully note that the specific density of the composite material is recited in Claim 1. The specific density of the composite material is sufficient to provide the desired effect of the present invention. Furthermore, it is by no means excluded that a composite material can be obtained having a specific density within the range of 0.8 to 1.2 g/cm³ when using a weight ratio well outside the range of Claim 3. Accordingly, the limitations of claim 3 should not be required.

In view of the above arguments, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim 7

Claim 7 has been rejected for allegedly being unclear for not reciting “the grains” before “the non-metallic” and for the term “optionally” in line 6. Applicants respectfully submit that

the amendment to claim 7 has rendered the present rejection moot. Accordingly, Applicants respectfully request reconsideration of claim 7.

Claim 8

Claim 8 has been rejected because of the phrase “similar to” in line 2. Applicants respectfully submit that the amendment to claim 8 has rendered the present rejection moot. Accordingly, Applicants respectfully request reconsideration of claim 8.

Claims 4-6

Claims 4-6 have been rejected under 35 U.S.C. § 112 and 35 U.S.C. § 101 as being directed to a use “without setting forth any steps...” Applicants respectfully submit that the amendment of claims 4-6 has rendered the present rejection moot. Accordingly, Applicants respectfully request reconsideration of claims 4-6.

SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conference with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 449 6536.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 50-4876, under Order No. 117814-02101 from which the undersigned is authorized to draw

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Respectfully submitted,

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